



Minutes of the Meeting of the Board of Selectmen

Date: Monday, May 12, 2014
Time: 6:00 p.m.
Place: Conference Room A Memorial Town Hall, Spencer, MA
Present: Chair Woodbury, Vice Chair Berthiaume, Clerk Stevens, Member Fritze and Pepe and Administrator Gaudette.

At 6:06 p.m. Chairman Woodbury called the meeting to order and led the Pledge of Allegiance.

Minutes

A motion to approve the minutes of the Special Meeting of April 23, 2014 as amended & Business Meeting of April 28, 2014 (Berthiaume/Fritze) passed 5/0.

A motion to release the minutes of the Executive Sessions of July 16, 2012; August 13, 2012; September 24, 2012; November 14, 2012; March 11, 2013; December 9, 2013; January 13, 2014; January 22, 2014; February 10, 2014; & February 24, 2014, as redacted (Berthiaume/Fritze) passed 5/0.

Citizen Input

None

Communications

None

New Business

Public Hearing for Application on alcohol License Transfer from Vijay Patel d/b/a Laney's Variety to Jitendra & Rajendrakumer Patel

At 6:09 p.m. Chairman Woodbury opened the Public Hearing

Attorney Joe Devlin, Demakis Law Offices reported he is representing applicants Jitendra & Rajendrakumer Patel on a License Transfer from Vijay Patel (Laney's Variety) and Pledge of License/Stock to Eastern Bank which is being funded through a combination of loans and cash. A packet of documentation was submitted with the application as required by the ABCC and the Town of Spencer.

Attorney Devlin noted that Jitendra Patel has many years of experience managing convenience and liquor stores and has never had a violation at any of his locations. This will be the first license with Mr. Patel listed as owner of record. If approved by the Board, the packet of documentation will be forwarded to the ABCC and an investigator assigned. The entire process takes approximately two months to complete.

Mr. Fritze asked if there have been any problems at Laney's. Mr. Gaudette said there have not been reports of any issues.

There were no questions from the public.

All paperwork was in order. At 6:29 pm the hearing was closed.

A motion to approve the License Transfer from Vijay Patel d/b/a Laney's Variety to Jitendra & Rajendrakumer Patel (Berthiaume/Fritze) passed 5/0.

A motion to approve the Pledge of Liquor License/Stock to Eastern Bank (Berthiaume/Fritze) passed 5/0.

Action Item: Approve Intermunicipal Agreement for 2014 CIC Grant

Mr. Gaudette reported that the 2014 CIC Grant application for stormwater management in the amount of \$200,000 was awarded at \$80,000. Each member of the 30-town collaborative agreed to contribute \$4,000 to fill the \$120,000 gap.

A motion to authorize the Intermunicipal Agreement for 2014 CIC Grant (Pepe/Fritze) passed 5/0.

Action Item: Approve Position of "Consultant" to Conservation Commission as "Special Municipal Employee"

EcoTec, Inc. serves on an on-call basis in a technical capacity to the Conservation Commission and they also work for private parties. Mr. Gaudette explained the position of Technical Consultant could be designated as a "Special Municipal Employee" while working for the Town. EcoTec will need to file a disclosure notice with the Town Clerk. This will help to prevent a potential conflict of interest.

A motion Approve the Position of "Consultant to the Conservation Commission" as "Special Municipal Employee" (Pepe/Fritze) passed 5/0.

Chapter 70 Formula – Regional School District Budgets

Administrator Gaudette researched information on Chapter 70 funding and cases filed against the State due to the unfunded mandate. Towns are looking to force the State to fund at higher levels and alleviate the burden placed on local communities.

Mr. Berthiaume asked if a petition should be submitted for next election and suggested a letter be sent to other communities to support the issue of this unfunded mandate. Mr. Gaudette suggested having a discussion with the Commissioner of Education and the Legislators. In the meantime, he will move forward with the letter and report back.

Old Business

Town Administrator Performance Review

Selectmen Berthiaume reported the Administrator's overall performance rating improved from a 3.4 in 2013 to a 3.53 this year. This is well above average on the 1 to 4 rating scale. He said the Town is fortunate to have him on board. Chairman Woodbury agreed and said he has been an asset to the Town.

Administrator Gaudette said he appreciates the kind words and is pleased the Board wants him to continue.

Town Administrator Report

Town Meeting Follow-up

Administrator Gaudette said he is pleased with the way the meeting turned out.

There was discussion on how the debt exclusion gets paid. Mr. Gaudette said the District chooses how to structure the loan and the Town votes to allow the payment to be excluded by increasing the levy by the amount required each year.

Mr. Fritze said Corey Lacaire is meeting with an Information Technology person at the SEBRSD to discuss how to save on switches.

Town Election Preparation

The Election will be held on May 13th and polls will be open from 12-8 pm.

Board Liaison Reports

Mr. Stevens handed out a flyer explaining the Workforce Training Program sponsored by the Chamber of Commerce. He also attended a press conference announcing a \$2 million dollar grant awarded to Quinsigamond Community College for technical training. He would like to invite Rosemary Scrivens's to a future meeting to discuss economic development.

Administrator Gaudette will attend the June 6th Legislative Breakfast in Worcester where Rosemary Scrivens's will be a speaker.

Mr. Fritze met with National Grid to discuss the Town Hall gas main. National Grid will install free of charge. Work will be done at night to lessen the impact to traffic. There will be 3 or 4 separate boilers.

Citizen input

None

Board Member and Staff Comments

Mr. Berthiaume thanked fellow Selectmen for allowing him to serve with them on the Board. He said the best vote he ever took part in was to hire Mr. Gaudette as Administrator. He regrets not putting paving on the warrant, and wants to see voter identification be a requirement. He also asked the public for their help fundraising for the fireworks display.

Mr. Pepe wished him well and said it was a pleasure serving with him. Mr. Woodbury noted he is always there to help whenever needed and thanked him for his work with the Disability Committee.

Request for Executive Session under Mass General Laws, Chapter 30A, § 21 (a), ¶ 3, for the purposes of discussing litigation.

At 7:23 p.m. a motion to meet in Executive Session (Berthiaume/Fritze) in accordance with MGL Chapter 30A, § 21 (a), ¶ 3, for the purposes of discussing litigation passed with a roll call vote: Woodbury-yes, Berthiaume-yes, Fritze-yes, Stevens-yes, Pepe-yes.

*A motion to adjourn at 7:45 p.m. (Berthiaume/Fritze) passed with a roll call vote:
Berthiaume-yes, Woodbury-yes, Fritze-yes, Stevens-yes, Pepe-yes.*

Respectfully submitted,

Brenda Savoie
Administrative Assistant

Referenced Materials:

Application on Alcohol License Transfer Laney's Variety
Intermunicipal Agreement for 2014 CIC Grant
Town Administrator Performance Review